

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY C. STEPHENS	:	
Petitioner	:	Civil Action No. 1:14-cv-977
v.	:	
LAWRENCE MALHALLY, Acting	:	(Judge Kane)
Superintendent, et al.	:	(Magistrate Judge Saporito)
Respondents	:	

ORDER

Before the Court in the above-captioned action is a June 29, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

AND NOW, this 17th day of July, 2015, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Saporito. (Doc. No.21).
- 2) The petition (Doc. No. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**.
- 3) The petitioner’s “Motion for Judicial Determination of Capacity and Competence, and, for Immediate Relief” (Doc. No. 18) is **DENIED**.
- 4) The petitioner’s motion for judgment on the pleadings (Doc. No. 20) is **DENIED**.
- 5) The Court declines to issue a certificate of appealability, as the petitioner has failed to demonstrate “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

6) The Clerk of Court shall close the case.

s/ Yvette Kane
YVETTE KANE, District Judge
United States District Court